

REDACTED -
FOR PUBLIC INSPECTION

TO: Marlene Dortch, Secretary
Office of the Secretary
Federal Communications Commission

FILED/ACCEPTED

FEB - 3 2010

Annual 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket No. 06-36

Federal Communications Commission
Office of the Secretary

Annual 64.2009(e) CPNI Certification for 2010 covering the prior calendar year 2009

Date filed: February 3, 2010

Name of company covered by this certification: K & M Telephone Company, Inc.

Form 499 Filer ID: 801270

Name of signatory: Dennis D. Werner

Title of signatory: President

I certify that I am a corporate officer of the above Company. Acting as an agent of the Company, I hereby certify that I have personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission's (FCC's) rules concerning customer proprietary network information (CPNI), as contained in 47 C.F.R. §§ 64.2001 et seq.

- Attached to this certification is Statement #1 explaining how the Company's procedures ensure that the Company is in compliance with the requirements set forth in section 64.2001 et seq. of the Commission's rules.
- The Company has not taken any actions against data brokers in the past year.
- In Statement #2, we discuss the processes that pretexters are using to attempt to access CPNI.
- In Statement #3, we explain additional procedures that the Company is taking to protect CPNI.
- The Company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The Company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The Company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

No. of Copies rec'd 0 + 4
List ABCDE

A copy of this Certificate and Statements, but with redactions in Statements 2 and 3, is being filed for public inspection. In addition, this Certificate with unredacted Statements is being filed with a Request for Information to Be Withheld from Public Inspection.

If you have questions, please contact: Susan Bahr, Esq., Law Offices Of Susan Bahr, PC, PO BOX 2804, Montgomery Village, MD 20886-2804, sbahr@bahrlaw.com, (301) 926-4930.

Name (signature):  February 2, 2010

STATEMENT #1
CPNI PROCEDURES

Compliance Officer

The Company has appointed the General Manager as the CPNI Compliance Officer. The Compliance Officer is responsible for ensuring that the Company is in compliance with all of the CPNI rules. The Compliance Officer is also the point of contact for anyone (internally or externally) with questions about CPNI. The Compliance Officer will complete and – if necessary – file a Compliance Certification with the FCC by March 1 of each year, for data pertaining to the previous calendar year.

Employee Training

The Compliance Officer shall arrange for the training of all employees on an annual basis, and more frequently as needed. Any new employee shall be trained when hired by the Company. The training shall include, but is not limited to, when employees are and are not authorized to use CPNI, and the authentication methods the Company is using. After the training, all employees are required to sign a certification that they have received training on the CPNI rules, that they understand the Company's procedures for protecting CPNI and they understand the Company's disciplinary process for improper use of CPNI. If employees have any questions regarding the use of CPNI or if they are aware of CPNI being used improperly by anyone, they should contact the Compliance Officer immediately.

The Company has established a disciplinary process for improper use of CPNI. The disciplinary action is based on the type and severity of the violation and includes the following: retraining the employee on CPNI rules, notation in the employee's personnel file, formal written reprimand, suspension or termination. A single incidence of an unintentional violation shall be cause for the least severe discipline while intentional and/or multiple violations shall be the cause of the most severe discipline. Termination of an employee must be approved by the Company's Board of Directors.

Disclosure and Use of CPNI

The Company has not provided notification to its customers and has not asked for approval to use CPNI because the Company does not use CPNI outside of the areas that are allowed without customer approval. The Company does not share the customer's CPNI with any joint venture partner, independent contractor or any other third party, except for billing purposes. For marketing purposes, the Company will only mass market to all customers, or use CPNI to market only service offerings among the categories of service to which the customer already subscribes.

The Company shall not disclose any CPNI until the customer has been appropriately authenticated. When the customer calls the Company, the customer shall be authenticated by providing an answer to a pre-established question and must be listed as a contact on the account. If the customer wants to discuss call detail information, the following guidelines shall be followed: (a) If the customer can provide all of the call detail information (telephone number called, when it was called, and the amount of the call) necessary to address the customer's issue,

the Company will continue with its routine customer care procedures. (b) If the customer cannot provide all of the call detail information to address the customer's issue, the Company will: (1) call the customer back at the telephone number of record, (2) send the information to the address of record, or (3) ask the customer to come into the office.

The Company shall promptly notify customers whenever a change is made to the customer's address of record. The notification will be made by the Company and sent to the customer's old address of record.

Breaches

Employees will immediately notify the Compliance Officer of any indication of a breach. If it is determined that a breach has occurred, the Compliance Officer will do the following: (a) Notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) as soon as practicable, but in no event later than 7 business days after determination of the breach. The notification will be via the FCC link at <http://www.fcc.gov/eb/cpni>. (b) Notify customers only after 7 full business days have passed since notification to the USSS and the FBI, unless the USSS or FBI has requested an extension. (c) If there is an urgent need to notify affected customers or the public sooner to avoid immediate and irreparable harm, it will be done only after consultation with the relevant investigating agency. (d) Maintain a record of the breach, the notifications made to the USSS and FBI, and the notifications made to customers – for at least 2 years. The record should include dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach.

STATEMENT #2
PROCESSES PRETEXTERS ARE USING TO ATTEMPT TO ACCESS CPNI

[illegible]

6

CERTIFICATE OF SERVICE

I, Susan Bahr, hereby certify that on this February 3, 2010, I caused a copy of the foregoing to be sent to:

Best Copy and Printing, Inc.
445 12th Street, Suite CY-B402
Washington, DC 20554
(via email to FCC@BCPIWEB.COM)

Susan J Bahr

Susan J. Bahr